

REMARKS/ARGUMENTS

Reconsideration and withdrawal of the rejections of the application are respectfully requested in view of the amendments and remarks herewith, which place the application into condition for allowance. The present amendment is being made to facilitate prosecution of the application and Applicants submit that the amendment does not require further search.

I. STATUS OF THE CLAIMS AND FORMAL MATTERS

Claims 1-10, 12-14 and 26 are pending in this application. Claims 11, 15-25 and 27-31 are canceled without prejudice or disclaimer of subject matter. Claims 1, 7, 8, 10 and 26 are independent. Claims 1, 7, 8, 10 and 26 are hereby amended. Changes to claims are not made for the purpose of patentability within the meaning of 35 U.S.C. §101, §102, §103, or §112. Rather, these changes are made simply for clarification and to round out the scope of protection to which Applicants are entitled.

II. REJECTIONS UNDER 35 U.S.C. §102(e)

Claims 1-10, 12-14 and 26 were rejected under 35 U.S.C. §102(e) as allegedly anticipated by U.S. Patent No. 6,119,133 to Nusbickel et al. Applicants respectfully traverse the rejection. Claim 1 recites that the service offering system offers a service from a server to a terminal device. Each medium has a unique identifier and it is read at the terminal device. By checking the identifier, the service offering device means offers a service to the terminal device. According to Nusbickel, the unique recording ID is retrieved at the server side not at the terminal side. Furthermore, in Nusbickel, the unique recording ID is used to retrieve corresponding files;

however, the present invention, each medium has a unique ID and the unique ID is read at the terminal side, transferred to the server side for checking whether it is valid. Depending on the result of the check, service is offered to the terminal device.

Specifically, independent claim 1 recites, *inter alia*:

“A service offering system from a server to a terminal device...
recording means for recording a unique identifier to each of a plurality of storage media issued;
...service offering means for offering a service to said terminal device corresponding to the storage medium identified by the checked identifier depending on a result of the check by said checking means.” (emphasis added)

As understood by Applicants, U.S. Patent No. 6,119,133 to Nusbickel et al. relates to an information processing system with a database for storing database records. Each of the database records has a unique identifier. The unique identifier is retrieved at the service side for retrieving the other related files.

It is respectfully submitted that the cited portions of U.S. Patent No. 6,119,133 to Nusbickel et al. (hereinafter, merely “Nusbickel”), as applied by the Examiner, do not teach or suggest the above-identified features of claim 1. Specifically, Nusbickel fails to teach or suggest service offering means for offering a service to the storage medium identified by the checked identifier depending on a result of the check by said checking means, as recited in independent claim 1. Indeed, Nusbickel does not disclose or suggest that right information is stored with the unique identification and denotes a level of service to be offered to the corresponding medium.

Furthermore, Applicants reiterate the remarks made in their response to the Non-Final Office Action that Nusbickel uses the term “identifier” to denote a part of a data file name. (“[W]herein part of each data file name is composed of one of said unique identifiers...”) (see

Nusbickel Abstract, emphasis added.) Applicants submit the “identifier” disclosed in Nusbickel is different from recording a unique identifier to each of a plurality of storage media issued, recited in claim 1. Applicants submit that the identifier disclosed in Nusbickel is used to retrieve a filename corresponding to the identifier and show these files to a user. Thus, Applicants submit that the identifier in Nusbickel does not identify a storage medium and is not checked against other identifiers, as recited in claim 1.

For the above-stated reasons, Applicants respectfully submit that independent claim 1 is patentable.

Independent claims 7 and 8 are similar in scope to claim 1 and are believed patentable for similar reasons.

Independent claim 10, as amended, recites, *inter alia*:

“...receiving means for receiving right information that denotes services available to a storage medium and identifiers from said storage medium issuing party issuing a plurality of storage media identified by said identifiers which differ from one another;

...checking means for checking the identifier transmitted from a terminal device by way of a service provider against said identifiers stored in said storing means.” (emphasis added)

Applicants submit that Nusbickel does not teach or suggest the above-identified features of claim 10. Specifically, Nusbickel fails to teach or suggest checking the identifier transmitted from a terminal device by way of a service provider against said identifiers stored in said storing means, as recited in independent claim 10.

Furthermore, Applicants submit that the statements regarding the term “identifier” made in relation to claim 1, also apply to claim 10.

Therefore, Applicants respectfully submit that independent claim 10 is patentable.

Independent claim 26 recites, *inter alia*:

“A service offering method for offering a service from a server to a terminal device...
recording a unique identifier to each of a plurality of storage media issued;
...checking the identifier read from the storage medium against said identifiers stored in said database; and
offering a service to said terminal device corresponding to the storage medium identified by the checked identifier.” (emphasis added)

Applicants submit that Nusbickel does not teach or suggest the above-identified features of new independent claim 26. Specifically, Nusbickel fails to teach or suggest checking the identifier read from the storage medium against said identifiers stored in said database; and offering a service to said terminal device corresponding to the storage medium identified by the checked identifier, as recited in independent claim 26.

Furthermore, Applicants submit that the statements regarding the term “identifier” made in relation to claim 1, also apply to claim 26.

Therefore, Applicants respectfully submit that independent claim 26 is patentable.

The other claims in this application are each dependent from one of the independent claims discussed above and are therefore believed patentable for at least the same reasons. Since each dependent claim is also deemed to define an additional aspect of the invention, however, the individual reconsideration of the patentability of each on its own merits is respectfully requested.

CONCLUSION

In the event the Examiner disagrees with any of statements appearing above with respect to the disclosures in the cited reference, it is respectfully requested that the Examiner specifically indicate those portions of the reference providing the basis for a contrary view.

Please charge any additional fees that may be needed, and credit any overpayment, to our Deposit Account No. 50-0320.

In view of the foregoing amendments and remarks, it is believed that all of the claims in this application are patentable and Applicants respectfully request early passage to issue of the present application.

Respectfully submitted,

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